

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

ePLUS, INC.,

Plaintiff,

v.

Civil Action No. 2:09cv232/HCM-TEM

PERFECT COMMERCE, INC.,
SCIQUEST, INC., LAWSON
SOFTWARE, INC. and VERIAN
TECHNOLOGIES, INC.,

Defendants.

**MOTION FOR EXTENSION OF TIME
TO FILE RESPONSIVE PLEADINGS TO THE COMPLAINT**

The Defendants SciQuest, Inc. (“SciQuest”) and Lawson Software, Inc. (“Lawson”), by counsel appearing specially, without waiving any challenges to jurisdiction or venue, move this Court to extend the time through July 8, 2009, for them to answer, plead, or otherwise respond to the Complaint filed by the Plaintiff, ePLUS, Inc. (“ePLUS”), and in support thereof, state as follows:

1. ePLUS served its Complaint for patent infringement upon SciQuest on May 28, 2009, and upon Lawson on May 28, 2009. The time for SciQuest and Lawson to answer, plead, or otherwise respond has not passed and more time is needed to form such responses in this matter. Under Local Rule 7(F)(2) of the Local Rules of Practice for this Court, no separate brief in support of this motion is required.

2. SciQuest and Lawson have requested from ePLUS’s counsel an extension of time in which to answer, plead, or otherwise respond through July 8, 2009. ePLUS’s counsel has agreed.

3. Attached as **Exhibit A** is a proposed agreed order granting SciQuest and Lawson the relief sought. The agreed order is being circulated for endorsement and will be delivered to the Court once signed.

WHEREFORE, SciQuest and Lawson, by counsel, request that this Court enter an Order granting them an extension of time to answer, plead, or otherwise respond to the Complaint through and including July 8, 2009.

Dated: June 10, 2009

Respectfully submitted,

/s/ Stephen E. Noona
Stephen E. Noona (VSB No. 25367)
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169
senoona@kaufcan.com

*Counsel for Perfect Commerce, Inc., SciQuest, Inc.
and Lawson Software, Inc.*

Daniel Johnson, Jr.
Morgan, Lewis & Bockius LLP
One Market, Spear Street Tower
San Francisco, CA 94105-1596
Telephone: (415) 442-1392
Facsimile: (415) 442-1001
djohnson@morganlewis.com

Robert W. Busby, Jr. (VSB No. 41312)
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave., NW
Washington, DC 20004-2541
Telephone: (202) 739-5970
Facsimile: (202) 739-3001
rbusby@morganlewis.com

*Counsel for Defendants SciQuest, Inc. and Lawson
Software, Inc., appearing specially*

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2009, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Gregory N. Stillman
Brent Lee VanNorman
Hunton & Williams
500 East Main Street, Suite 1000
Norfolk, VA 23510
Telephone: (757) 640-5300
Fax: (757) 625-7720
gstillman@hunton.com
bvannorman@hunton.com

David M. Young
VSB No. 35997
GOODWIN PROCTER, LLP
901 New York Avenue, N.W.
Washington, DC 20001
Telephone: (202) 346-4000
Facsimile: (202) 346-4444
dyoung@goodwinprocter.com

OF COUNSEL:

Scott L. Robertson
Jennifer A. Albert
Christopher C. Campbell (VSB No. 36244)
GOODWIN PROCTER, LLP
901 New York Avenue, N.W.
Washington, DC 20001
Telephone: (202) 346-4000
Facsimile: (202) 346-4444
SRobertson@goodwinprocter.com

Attorneys for Plaintiff

Kenneth W. Brothers
Dickstein Shapiro LLP
1825 Eye Street NW
Washington, DC 20006-5403

(202) 420-4128

(202) 420-2201

brothersk@dicksteinshapiro.com

*Counsel for Defendant Perfect Commerce, Inc.,
appearing specially*

/s/ Stephen E. Noona

Stephen E. Noona (VSB No. 25367)

KAUFMAN & CANOLES, P.C.

150 West Main Street, Suite 2100

Norfolk, VA 23510

Telephone: (757) 624-3000

Facsimile: (757) 624-3169

Counsel for Defendants